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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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SHALOM S. MAIDENBAUM,  
  
Plaintiff,

Docket No. 2:18-cv-02911  
(JFB-GRB)

-against-

AFFIRMATION  
IN OPPOSITION

AARON FISCHMAN, NINA FISCHMAN,  
LAWRENCE KATZ, THE LAW OFFICE  
OF LAWRENCE KATZ, P.C., THE LAW  
OFFICE OF LAWRENCE KATZ, ESQ.,  
PLLC, and CHOSHEN ISRAEL GROUP,  
LLC,

Defendants.

-----X

**Stuart S. Zisholtz**, being an attorney-at-law duly licensed to practice law in the State of New York and a member to the firm of Zisholtz & Zisholtz, LLP, attorneys of record for the Plaintiff in the above entitled action declares as follows pursuant to 28 U.S.C. § 1746:

1. I make this affirmation in opposition to a second motion by the defendants for sanctions under Rule 11.

2. Previously, the defendants served a motion for sanctions returnable on November 15, 2018. Annexed hereto and made a part hereof as Exhibit "A" is a copy of the first two pages of the motion.

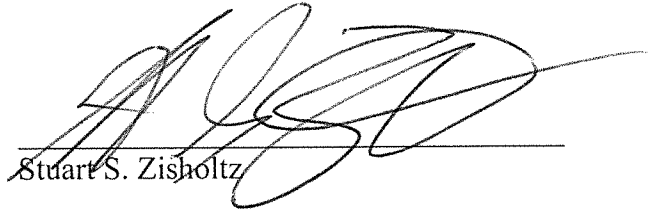
3. This motion was served upon the plaintiff along with the defendants' motion to dismiss pursuant to FRCP Rule 12 (b)(6).

4. Based upon the first motion served by the defendants for sanctions under Rule 11, the plaintiff served opposition papers which incorporated the Rule 11 motion. Annexed hereto and made a part hereof as Exhibit "B" are copies of the opposition papers served with respect to the motion to dismiss pursuant to FRCP Rule 12 (b)(6) and FRCP Rule 11 and 28 USC § 1927.

5. Clearly, the defendants cannot serve two Rule 11 motions for sanctions.

6. Under the circumstances, it is respectfully submitted that the motion be denied in all respects.

WHEREFORE, your affiant respectfully prays for an Order denying defendants' Motion in all respects.



Stuart S. Zisholtz

Subscribed to this 15<sup>th</sup>  
day of February, 2019